

**MINUTES OF A WORKSHOP/MEETING OF THE GOVERNING BOARD
OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT
HELD AT DISTRICT HEADQUARTERS, 3301 GUN CLUB ROAD, WEST
PALM BEACH, FL
WEDNESDAY, May 10, 2000
9:00 A.M.**

The following **Board Members** were present

Michael Collins
Vera Carter
Michael Minton
Mitchell Berger
Nicolas Gutierrez
Gerardo Fernandez
Harkley Thornton

CALL TO ORDER

Chairman Collins called the workshop meeting to order at 9:30 a.m.

1. Board Questions about the Thursday Regular Meeting Agenda

Mr. Minton questioned items 20, 23, 27, 28, 30, and 42.

Agenda revisions

Mr. Gleason asked that item 11 of the Thursday Regular Meeting agenda be moved to today's agenda following item 4.

Ms. Carter thanked for improvements to the agenda format.

Chairman Collins noted problems with the publication of the agenda this month. He said a computer virus prevented staff from publishing the agenda on the District's web site this month.

Mr. James Blount, Chief of Staff, summarized changes to the agenda format. He said Mr. Andy Edwards will work as Assistant to the Chief of Staff in reviewing the agenda process. Chairman Collins asked that Board Members provide input to staff on the agenda format changes. Board Members agreed..

Mr. Minton noted that corrections to the April Workshop minutes have been incorporated.

Mr. Joe Taylor, Deputy Director, Water Resources Operations, asked that the Water Conditions Report be moved to the Thursday Regular Meeting agenda. Board Members agreed.

Announcement of Confirmation of Executive Director

Chairman Collins announced that Mr. Frank Finch has been confirmed as Executive Director, South Florida Water Management District, by the Florida Legislature.

Mr. Darryl Bell, Governing Board Operations/Support, said staff recommends moving item 10 to the Thursday Regular Meeting agenda under Reports by Staff, Water Resource Operations.

Mr. Finch said staff has written to officials with the U.S. Fish and Wildlife Service requesting an appearance at the Thursday Regular meeting. He said U.S. FWS officials declined on advice of Counsel. He said significant issues face the Board regarding the Cape Sable Seaside Sparrow.

Motion by Mr. Gleason to move Item 10 from the Thursday Regular Meeting agenda to today's Workshop Meeting agenda. Motion approved.

3. Update on Everglades Restoration Diversity Plan

Mr. Aaron Weeks, Compliance Manager, Equity and Contracting Program, presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting.

Chairman Collins suggested that staff get full input its proposal regarding the District's M/WBE Rule, and keep the Board updated on this issue.

4. Consider if there is the need to issue a new solicitation for qualified surveying contractors to be used for FY 2001 requirements by region.

Mr. Jon Gleason, Contracts Manager, Procurement Department, presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting.

Motion by Mr. Minton to approve staff's recommendation on this item. Motion approved.

Board Members agreed to consider item 11 at this time.

11. Discussion of Lower East Coast Regional Water Supply Plan

Mr. Gleason said the District has reached a milestone on this issue. He said consensus on the plan was not easily achieved. He noted that work by the Lower East Coast Regional Water Supply Plan Advisory Committee has been outstanding.

Mr. John Mulliken, Senior Supervising Planner, Water Supply Department, presented information on this item. He said the committee has voted to ask to be allowed to continue to meet as an informal body.

Mr. Philip Parsons, representing Florida Sugar Cane League, said his client supports approval of the plan.

Mr. Fred Rapach, Policy and Program Coordinator, Palm Beach County Utilities, stressed the need to move forward on this effort. He asked that the LEC Advisory Committee be allowed to continue to function. Mr. Rapach also asked that the Board re-implement Alternative Water Supply Funding to fund projects incorporated in the plan.

Board Members agreed that input from the committee is needed, and that the committee should continue to function in some form. Mr. Minton noted that water supply funding will be discussed at the Thursday regular meeting. He stressed the importance of this issue.

Mr. Jorge Rodriguez, Miami-Dade County Water and Sewer Department, expressed concern that under the water supply plan, Miami-Dade County residents will have to rely on ASR technology. He said ASR technology has never been proven at this scale, and asked that the Board look into other methods for Miami-Dade water supply.

Mr. Gene Duncan, Miccosukee Tribe of Indians of Florida, said this plan should go through the rulemaking process. He said setting the Minimum Flows and Levels specified in the plan will result in significant harm to the ecosystem.

Mr. Minton said legal staff should provide information on the potential harm to the ecosystem. Ms. Cecile Ross, Office of Counsel, said the plan should provide opportunity for public input on this issue, as well as a right to challenge. She said that is the main reason for seeking Board action on the plan.

5. Status Report on the South Florida Ecosystem Restoration Task Force Strategic Plan.

Ms. Joan Lawrence, Lead Ecosystem Restoration Representative, Water Supply Department, presented information on this item. A copy of the material used in her presentation is included in the official record of this meeting.

Ms. Linda Dahl, Project Leader for Strategic Planning, South Florida Ecosystem Restoration Task Force, presented information on this item. A copy of the material used in her presentation is included in the official record of this meeting.

Mr. Terrence “Rock” Salt, Executive Director, South Florida Ecosystem Restoration Task Force, presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting.

Chairman Collins asked for information on input gained by the group from the counties involved.

Mr. John Arthur Marshall, Environmental Advisory Committee, expressed concern about goals outlined in the plan.

**6. Comprehensive Everglades Restoration Plan Update
Initial CERP Technical Briefing for the Indian River Lagoon
Restoration Feasibility Study.**

Mr. Paul Warner, Lead Ecosystem Representative, System Wide Accountability, presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting.

Mr. Dave Unsell, Upper East Coast, Kissimmee Planning Division, presented information on the Indian River Lagoon Feasibility Study. A copy of the material used in his presentation is included in the official record of this meeting.

Mr. Max Quackenbos, Martin County Conservation Alliance, asked that Mr. Unsell’s presentation be made available to people in Martin County.

Mr. Kevin Henderson, St. Lucie River Initiative, said the problem of salinity levels in the C24 basin should be addressed. He asked that Stormwater Treatment Area’s be considered as a component, but not as a driving force in the process.

Mr. Doug Bournique, Indian River Citrus League, supported comments by Mr. Minton that water going to tide could be used by citrus growers in the north part of Martin/St. Lucie Counties.

7. Provide a status update on the development of Pool “D” flood mitigation alternatives (Kissimmee River Restoration).

Ms. Joanne Chamberlain, Kissimmee Basin Division, presented information on this item. A copy of the material used in her presentation is include in the official record of this meeting.

Mr. Bob Mooney, representing residents of Hidden Acres Estates, expressed concern about the impact of this project on the lives of local residents. He asked that the Board consider resident's concerns.

The following item was moved from the Thursday Regular Meeting agenda.

Agreement with Village of Wellington

Ms. Sharon Trost, Director, Everglades Stormwater Program, presented information on this item. A copy of the material used in her presentation is included in the official record of this meeting.

She said staff recommends that the District enter into a letter agreement with the Village of Wellington which outlines a plan of action for the development of projects, schedules and funding strategies

Mr. Charles Lynn, Village of Wellington, said the Village approves of this agreement.

Motion by Mr. Gleason to approve staff's recommendation.

Mr. Charles Lee, Audubon Society, asked that staff notify his organization of any permitting pre-application meetings or other meetings regarding this agreement to allow an opportunity to participate.

Ms. Rosa Durando, Audubon Society of the Everglades, urged the Board to ensure that the requirements of this agreement are carried out.

Mr. Mark Musaus, Manager, Loxahatchee National Wildlife Refuge, said he supports this agreement.

Motion approved.

Mr. Gleason commended Ms. Trost for her efforts on this issue.

8. Discussion of 8.5 Square Mile Area Locally Preferred Option.

Mr. Dewey Worth, Lead Environmental Scientist, Everglades Division, presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting.

Mr. Chuck Sinclair, U.S. Army Corps of Engineers, presented information on this issue. A copy of the material used in his presentation is included in the official record of this meeting.

Mr. Berger asked that staff provide information for each alternative listing how many permitted homes may need to be acquired and how many willing sellers are included in the various project boundaries.

Ms. Sharon Mitchell, Everglades National Park, presented information on the U.S. Department of the Interior Coordinated Action Report objectives.

Mr. Worth presented information on project alternatives. A copy of the material used in his presentation is included in the official record of this meeting.

Mr. Gleason said the Board should consider whether to step away from this issue and allow the Federal Government to make this decision.

Ms. Madeline Fortin, United Property Owners and Friends of the 8.5 Square Mile Area, said any form of buy-out is a big issue. She said the District is not fulfilling its SOR requirements in this area.

Ms. Maria Gonzalez-Rauchmann, a Miami resident, said Miami-Dade County officials will not be willing to provide funding for this project.

Mr. Mike Black, a Miami resident, said Miami-Dade County officials will not support this project with funding.

Mr. Finch suggested that board discussion of the Cape Sable Seaside Sparrow be moved to the Thursday agenda. Board Members agreed.

Mr. John Arthur Marshall, Environmental Advisory Committee, said the committee supports limiting the construction of additional canals and levees.

Mr. Don Cinquina, Tropical Audubon Society, said Miami-Dade County will commit to assisting with this project. He said his organization supports full acquisition.

Ms. Barbara Susco, a local realtor, said residents in the area should receive first consideration.

Mr. Fumero commented on hearing in Lee County Circuit Court regarding a petition to prevent the releases from Lake Okeechobee into the estuaries. He said the judge has refused Lee County's petition.

Mr. Gutierrez noted concerns by Ms. Fortin regarding the use of SOR funds in this area. Mr. Minton asked that staff review her concern that illegal dumping is being done on SOR lands.

9. Proposed amendments to the Resolution approved at the Governing Board's April 25, 2000 emergency meeting concerning immediate short-term actions to lower Lake Okeechobee water levels, providing further detail and operating procedures to the Resolution.

Mr. Lewis Hornung, Chief Engineer, Watershed Research and Planning Division, presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting.

Mr. Hornung said staff recommends approval of the resolution.

Mr. Richard Friday, representing Youngquist Brothers, said an alternative to freshwater discharges could be the use of deep injection wells. He said this is a proven alternative that could be quickly implemented and does no environmental or economic damage.

Mr. Mark Perry, Florida Oceanographic Society, said estuaries are being adversely impacted by discharges.

Dr. Paul Gray, Audubon of Florida Okeechobee Sanctuaries, said he supports the Lake Okeechobee drawdown, but suggested that the District scale back on the amount of the releases.

Mr. Edward Connerly, said discharges have caused significant losses to clam farmers in the area.

Mr. Larry Harris, Friends of Lake Okeechobee, said he commends the Board for making a difficult decision to draw down Lake Okeechobee. He said he supports continuing the drawdown, even though it may be damaging to the estuaries.

Mr. Larry Johnson, Lee County, said Lee County officials are extremely upset over releases by the District into the Caloosahatchee estuary. He said the county has asked that the District take immediate action to reduce discharges to the estuaries.

Mr. J.W. French, Director, Public Works, Lee County, said discharges to the estuaries should be reduced immediately. He said Lee County issues should be given a higher priority by the District.

Mr. Mark Robson, Florida Fish and Wildlife Conservation Commission, thanked the Board for taking action to address problems affecting Lake Okeechobee. He said there is a need for a long term solution.

Mr. Henry Caimotto, a Jensen Beach resident, said fish in the St. Lucie River suffer from ulcers due to the poor condition of the estuaries. He expressed support for lowering lake levels, but is concerned about the adverse effect on the estuaries.

Mr. Wayne Nelson, Fishermen Against Destruction of the Environment, said Board has shown courage in addressing the problem caused by high water levels in Lake Okeechobee.

Mr. Ed Callahan, Florida Geophysical Logging, said he supports deep well injection.

Mr. John Arthur Marshall, representing the Arthur R. Marshall Foundation, presented comments from the committee. A copy of his comments is available on request.

Mr. Dan Haunert, Lead Environmental Scientist, Coastal Ecosystems, presented information on current discharges and possible methods to reduce damage to estuaries.

Mr. Finch suggested that the Board delay action on this issue until Thursday to allow Ms. Williams to participate.

Vice-Chairman Minton suggested that the Board agree to Mr. Finch's recommendation to defer action until the Thursday Regular Board meeting. Board Members agreed.

10. Water Conditions Report.

This item was moved to the Thursday Regular Governing Board meeting.

12. Water Resources Operations Management System Presentation.

Mr. W. Kenneth Stewart, Lead Engineer, presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting.

13. Regulatory Permit Fees and options for increasing recovery of program costs.

This item was deferred to a later workshop meeting.

Board Comment

Mr. Gleason noted that fines collected for violation of District rules are sent to the Water Management Lands Trust Fund. He suggested that a portion of this money could be used for environmental education. Mr. Fernandez supported the suggestion. Mr. Minton suggested that Board Members consider this issue at a District Budget Workshop.

Vice-Chairman Minton announced that the Thursday breakfast meeting has been cancelled.

General Public Comment

Ms. Barbara Susco, a local realtor, said rural America is being destroyed by the urban majority.

Adjournment

There being no further discussion or business to come before the Board, the Workshop was adjourned at 5:47 p.m.

MICHAEL COLLINS, CHAIRMAN

(Corporate Seal)

Attest:

FRANK FINCH, SECRETARY

/aab

**MINUTES OF A MEETING OF THE GOVERNING BOARD
OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT
HELD AT OFFICES OF THE DISTRICT,
3301 GUN CLUB ROAD, WEST PALM BEACH FLORIDA
THURSDAY, MAY 11, 2000
8:30 A.M.**

The following **Board Members** were present

Michael Collins, Chairman
Michael Minton
Vera Carter
Mitchell Berger
Nicolas Gutierrez
Patrick Gleason
Trudi Williams
Harkley Thornton
Gerardo Fernandez

Frank R. Finch, Executive Director

CALL TO ORDER

Chairman Collins called the meeting to order at 8:30 a.m., followed by the inspiration by Mr. Chris Flierl and the pledge of allegiance to the Flag of the United States of America.

Presentations

Board Members and Mr. Finch presented the District's 25-Year Service Award to Mr. Andrew Revak, Craft Supervisor, General Maintenance, West Palm Beach Field Station.

Mr. Fernandez, Chairman, Human Resources Committee, recognized Mr. James Nut, Attorney, Office of Counsel, as the Employee of the Month.

Mr. Fernandez recognized the following staff of the Hydrologic Systems Modeling Division as Team of the Month:

Dr. Jayantha Obeysekera
Dr. Alaa Ali
Ms. Jennifer Barnes
Dr. Lehar Brion
Dr. Luis Cadavid

Mr. Raul Novoa
Mr. Ray Santee
Dr. Sharika Senarath
Dr. Ken Tarboton
Mr. Paul Trimble
Mr. Cary White

Additions/Deletions/Changes to the Agenda

Chairman Collins said staff will present an update on the Cape Sable Seaside Sparrow at approximately 10 a.m. today.

Chairman Collins noted that items 3a, 3b, 3c, 5h, 3a1a, and 7a1a have been deleted.

Items questioned at the May 10 Workshop

Mr. Minton noted that his questions about items 20, 23, 27, and 28 have been addressed.

Minutes Approval

Mr. Minton corrected workshop comments regarding Miami/Dade County's contribution of funds. The corrections are included in the Official Minutes of that meeting.

Motion by Mr. Fernandez to approve the minutes as corrected. Motion approved.

Abstentions

Mr. Gleason abstained on item 49.

Ms. Williams abstained on items 48 and 49.

Mr. Minton abstained on items 24, 25, 32, 36, and 49.

Mr. Berger abstained on items 41, 48, and 49.

Schedule of upcoming meetings

Ms. Williams requested that the Board schedule the July workshop in Lee County.

Motion by Mr. Fernandez to hold the July 2000 workshop and regular meetings on the West Coast and to direct staff to prepare an agenda to reflect West Coast issues.

Mr. Finch asked that staff be given an opportunity to determine what will be needed to carry out the Board's direction and report back.

Motion by Mr. Berger to table this motion until later in the meeting to allow staff to provide the necessary information. Motion approved.

Future workshop agendas

Mr. Minton noted that the workshop agendas tend to include too many items for discussion. He suggested that staff focus more closely on the issues that need to be addressed when submitting workshop agenda items.

Mr. Darryl Bell, Governing Board Operations, said a joint meeting with Palm Beach County officials has been scheduled for October.

Committees

1a. Adopt a Resolution creating a Budget and Finance Advisory Commission and establishing a method of appointment of members and duties and responsibilities of the Commission.

Mr. Don Cooper, Chairman, Finance and Advisory Commission presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting.

Mr. Cooper said the commission has passed a charter to provide focus and direction for its deliberations. He asked that the Board approve the charter and resolution governing the actions of the commission.

Motion by Mr. Gleason to adopt a Resolution creating a Budget and Finance Advisory Commission and establishing a method of appointment of members and duties and responsibilities of the Commission.
Motion approved

Staff of the Board

2a. Ombudsman's Report

Mr. Richard Williams, District Ombudsman, presented the report. A copy of the report is included in the official record of this meeting.

Mr. Gleason suggested that the Board take public comment after the report from Office of Counsel. Board Members agreed.

2b. Office of Counsel's Report

Mr. Scott Glazier presented information on a complaint filed by Lee County regarding releases from Lake Okeechobee into the Caloosahatchee River estuary. He said the judge hearing this case has determined that the District is vested with responsibility for regional water supply issues, that there was no violation of law by the District in taking this action, and no basis to grant Lee County's motion for a temporary injunction.

2c. Executive Director's Report

Mr. Finch presented the report. A copy of the report is included in the official record of this meeting.

Department Reports

c1. Water Resources Management

Ms. Terrie Bates, Director, Water Resources Management, said staff has nothing to report under this item.

c2. Water Resources Operations

Mr. Joseph Taylor, Director, Water Resources Operations, said staff has nothing to report under this item.

c3. Corporate Resources

Mr. Jock Merriam, Director, Corporate Resources, introduced Mr. Mel Flack, Director, Information Technology Division. Board Members welcomed Mr. Flack to his new position.

c4. Everglades Construction Project

4a. Everglades Construction Project Update

Mr. Joe Schweigart, Director, Everglades Construction Project, presented the update. A copy of the update is included in the official record of this meeting.

c5. Government Affairs and Communication

5a. Legislative Update

Mr. Michael Slayton, Director, Government Affairs and Communication, presented the Legislative Update. A copy of the material used in his presentation is included in the official record of this meeting.

c6. Office of Counsel

Mr. Fumero said staff has nothing to report under this item.

Water Conditions Report/CSS Update (from Workshop Agenda)

Mr. Tommy Strowd, Director of Operations, presented the report. A copy of the report is included in the official record of this meeting.

Mr. Dewey Worth, Lead Environmental Scientist, presented information on the Cape Sable Seaside Sparrow issue. A copy of the material used in his presentation is included in the official record of this meeting.

Mr. Steve Forsythe, U.S. Fish and Wildlife Service, presented information on sparrow populations and the Biological Opinion issued by the U.S. Fish and Wildlife Service.

Ms. Heather Sherry, U.S. Fish and Wildlife Service, presented information on timelines for addressing this issue.

Mr. Dennis Duke, USACE, presented information on operational procedures to address the Cape Sable Seaside Sparrow issue.

Follow up on Lake Okeechobee Discussion (from Workshop Agenda)

Dr. Karl Havens presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting.

Ms. Williams asked that staff bring the District's operating protocols for releases to the Board meeting scheduled for Lee County. She said outreach efforts are needed to bring concerned parties along the Caloosahatchee River and St. Lucie River into this process.

Motion by Ms. Williams to adopt a resolution that the District shall immediately re-evaluate short term and long term weather forecasts impacting the Lake Okeechobee recession, and the Executive Director shall reduce the discharges from Lake Okeechobee as soon as conditions allow rather than waiting for a subsequent Governing Board meeting;

and

Resolution 2000-31 is hereby amended by replacing Exhibit B in its entirety with attached document entitled "Lake Okeechobee Recession Operational Guidelines" and the accompanying graphic document entitled Figure 1.

Mr. Herb Zebuth, a local resident, said discharges from Lake Okeechobee to the estuaries are damaging, but should be continued in order to save the lake.

Mr. J.W. French, Public Works Director, Lee County, said the County will look at other options to it's request for an injunction to halt the discharges. He said Lee County officials will look for a method to remove the county from the jurisdiction of the Water Management District.

Mr. Tim Smith, Okeechobee County, expressed concern that this area may experience much wetter weather cycles in the near future, causing emergency conditions. He said Okeechobee county will support the Board resolution as long as it is clear that the goal is to get the lake level to 13 feet and keep it there for an appropriate timeframe.

Mr. Gene Duncan, Miccosukee Tribe of Indians of Florida, said large flows from Lake Okeechobee are going into the Everglades and causing damage. He said this is a violation of laws and regulations contained in the Everglades settlement agreement. Mr. Duncan said the Miccosukee Tribe of Indians of Florida will file an injunction against the District in this matter.

Motion approved.

Ms. Mary Ann Poole, Florida Fish and Wildlife Conservation Commission, expressed concern about high water levels in WCA2A.

Business Consent Agenda

Additions/Deletions/Substitutions

Chairman Collins deleted items 3a, 3b, 3c, and 5h.

Approval of Business Consent Agenda

Motion by Mr. Fernandez to approve the Business Consent Agenda as revised. Motion approved.

A copy of the Business Consent Agenda is included in the official record of this meeting.

Schedule of Upcoming Meetings

Mr. Darryl Bell, Governing Board Business/Operations Coordinator, presented the schedule. A copy of the schedule is included in the official record of this meeting.

Motion by Mr. Fernandez to conduct the July workshop and regular meeting in Lee County. Motion approved.

Public Hearing

Mr. Minton opened the public hearing.

Water Resources Management

- a. **Approve release of a Conservation Easement from Landstar Homes Heron's Bay, granted to the District in error.**

Mr. Robert Brown, Director, Environmental Resource Compliance Division, presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting.

Motion by Mr. Gleason to approve the release of a Conservation Easement from Landstar Homes Heron's Bay, permit 48-00113-S, Orange County, granted to the District in error. Motion approved.

- b. **Approve partial release of a Conservation Easement 0.028 acres in size and add an additional area of 0.635 acres in size to the originally recorded Conservation Easement for Florida Club.**

Mr. Brown presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting.

Motion by Mr. Gleason to approve partial release of a Conservation Easement 0.028 acres in size and add an additional area of 0.635 acres in size to the originally recorded Conservation Easement for Florida Club, Permit 43-00543-S, Martin County. Motion approved.

- c.(1) **Approve the purchase of land interests containing 41 acres , more or less, in Lee County, CREW Project.**

Ms. Betty Blankman presented information on this item. A copy of the material used in her presentation is included in the official record of this meeting.

Motion by Ms. Williams to approve the purchase of land interests containing 41 acres , more or less, in Lee County, CREW Project, approve declaring surplus, disposal of, and removal from the asset records, any such structures and improvements deemed unnecessary for the stated purpose of the original land acquisition, authorize a Resolution to the Department of Environmental Protection and authorize a Resolution to the Board of Trustees of the Internal Improvement Trust Fund requesting reimbursement for this acquisition and associated costs. Motion approved.

d.(1) Approve accepting a donation from SunTrust Bank Trustee of .75 acres of land situated in Martin County, Florida, Pal Mar Project.

Ms. Blankman presented information on this item. A copy of the material used in her presentation is included in the official record of this meeting.

Motion by Mr. Gutierrez to approve accepting a donation from SunTrust Bank Trustee of .75 acres of land situated in Martin County, Florida, Pal Mar Project, identified as a part of Section 10, Township 40 South, Range 40 East, authorize a Resolution to the Department of Environmental Protection requesting reimbursement for costs 75 acres in Martin County. Motion approved.

e.(1) Approve the purchase of land interests containing 28.15 acres, more or less, in Miami-Dade County, Model Lands and Southern Glades Projects.

Ms. Blankman presented information on this item. A copy of the material used in her presentation is included in the official record of this meeting.

Motion by Mr. Gutierrez to approve the purchase of land interests containing 28.15 acres, more or less, in Miami-Dade County, Model Lands and Southern Glades Projects and authorize a Resolution to the Department of Environmental Protection requesting reimbursement for these acquisitions and associated costs. Motion approved.

f.(1) Approve the purchase of land interests containing 225.80 acres, more or less, in Miami-Dade County, L-31 North Transition Lands Project.

Ms. Blankman presented information on this item. A copy of the material used in her presentation is included in the official record of this meeting.

Motion by Mr. Gutierrez to approve the purchase of land interests containing 225.80 acres, more or less, in Miami-Dade County, L-31 North Transition Lands Project, and authorize a resolution to the Department of Environmental Protection requesting reimbursement for this acquisition and associated costs. Motion approved.

g.(1) Approve the purchase of land interests containing 2.73 acres, more or less, in Miami-Dade County, 8.5 Square Mile Project, (Phase I).

Ms. Blankman presented information on this item. A copy of the material used in her presentation is included in the official record of this meeting.

Motion by Ms. Carter to approve the purchase of land interests containing 2.73 acres, more or less, in Miami-Dade County, 8.5 Square Mile Project, (Phase I), approve declaring surplus, disposal of and removal from the asset records, any such structures and improvements deemed unnecessary for the stated purpose of the original land acquisition and authorize a Resolution to the Department of Environmental Protection requesting reimbursement for this acquisition and associated costs. Motion approved. Nay – Mr. Gutierrez.

h.(1) Approve the purchase of land interests containing 410.43 acres, more or less, in Palm Beach County, East Coast Buffer Project.

Mr. Blair LittleJohn, Interim Director, Real Estate, Engineering and Construction, presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting.

Motion by Mr. Gleason to approve the purchase of land interests containing 410.43 acres, more or less, in Palm Beach County, East Coast Buffer Project, approve declaring surplus, disposal of and removal from the asset records, any such structures and improvements deemed unnecessary for the stated purpose of the original land acquisition and authorize a Resolution to the Department of Environmental Protection requesting reimbursement for this acquisition and associated costs. Motion approved.

j.(1) Approve the purchase of land interests containing 62.42 acres, more or less, in Miami-Dade County, East Coast Buffer Project.

Mr. LittleJohn presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting.

Motion by Mr. Gutierrez to approve the purchase of land interests containing 62.42 acres, more or less, in Miami-Dade County, East Coast Buffer Project, approve declaring surplus, disposal of and removal from the asset records, any such structures and improvements deemed unnecessary for the stated purpose of the original land acquisition and authorize a Resolution to the Department of Environmental Protection requesting reimbursement for this acquisition and associated costs. Motion approved.

j.(1) Approve the purchase of 8,663.23 Acres, more or less, in Hendry County, Caloosahatchee Basin Storage Reservoir Project.

Mr. LittleJohn presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting.

Motion by Ms. Williams to approve the purchase of 8,663.23 Acres, more or less, in Hendry County, Caloosahatchee Basin Storage Reservoir Project, approve an amendment to said option, approve declaring surplus, disposal of and removal from the asset records, any such structures and improvements deemed unnecessary for the stated purpose of the original land acquisition and authorize a Resolution to the Department of Environmental Protection requesting reimbursement for this acquisition and associated costs. Motion approved.

j.(2) Approve an option and exercise thereof, to purchase land interests containing 338.98 acres, more or less, in Hendry County, Caloosahatchee Basin Storage Reservoir Project.

Mr. LittleJohn presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting.

Motion by Mr. Gutierrez to approve an option and exercise thereof, to purchase land interests containing 338.98 acres, more or less, in Hendry County, Caloosahatchee Basin Storage Reservoir Project, approve declaring surplus, disposal of and removal from the asset records, any such structures and improvements deemed unnecessary for the stated purpose of the original land acquisition and authorize a Resolution to the Department of Environmental Protection requesting reimbursement for this acquisition and associated costs. Motion approved.

Mr. Minton closed the Public Hearing.

GENERAL PUBLIC COMMENT

Ms. Rosa Durando, Audubon Society of the Everglades, expressed concern about the new agenda format. She suggested that the agenda be made more user friendly, and that a larger size print be used. She asked that staff provide agendas and reports in a timely fashion and without any last minute changes.

Ms. Carlin Kowalski, representing Florida Water Services, commented on alternative water supply funding issues. She urged the Board to reinstate funding for that program.

Ms. Williams agreed that the Alternative Water Supply program is program is of primary importance to the mission of the District.

Letter of Agreement with Village of Wellington

Mr. Minton said the Board voted approval of staff's recommendation on this item at the Wednesday Workshop, subject to any comments by the public today. He said no comment has been made, therefor the vote stands.

Policy Implementation

Water Resources Management

Water Supply Department

b. Approve the Lower East Coast Regional Water Supply Plan

Mr. Ken Ammon, P.E., Director, Water Supply Department, presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting.

Mr. Ammon said staff recommends approval.

Motion by Mr. Gleason to approve the Lower East Coast Regional Water Supply Plan.

Ms. Sara Bellman, Everglades National Park, said park officials support approval of this plan and thank staff for their efforts.

Mr. Shawn Komlos, Audubon of Florida, thanked staff and Mr. Gleason for their efforts. He expressed support for the plan.

Mr. Douglas Andrews, City of Boca Raton Utility Department, expressed support for the plan.

Motion approved.

Mr. Gleason, thanked the advisory committee for their work on this project. He also thanked staff involved in the effort.

c.(1) Accept \$7,875,038 from the Florida Department of Transportation for mitigation required by the U.S. Army Corps of Engineers, Broward County.

Mr. Jim Jackson presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting.

Motion by Mr. Fernandez to accept \$7,875,038 from the Florida Department of Transportation for mitigation required by the U.S. Army Corps of Engineers, Broward County, and Florida Department of Environmental Protection permits to offset wetland impacts associated with the construction of I-75 rest and recreation facilities. Motion approved.

c.(2) Accept assignment from Florida Department Transportation of the Broward County license for the enhancement and perpetual maintenance of 358.2 acres within cells 17 and 18 of the East Coast Buffer.

Mr. Jackson presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting.

Motion by Mr. Fernandez to accept assignment from Florida Department Transportation of the Broward County license for the enhancement and perpetual maintenance of 358.2 acres within cells 17 and 18 of the East Coast Buffer for mitigation and authorize the necessary activities to accomplish the mitigation including the granting of a conservation easement in favor of Broward County.

c.(3) Approve the use of the \$7,879,038 as program income under Federal Grant Agreement FB-1 for the enhancement and perpetual maintenance of 358.2 acres of land within cells 17 and 18, Broward County.

Mr. Jackson presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting.

Motion by Mr. Fernandez to approve the use of the \$7,879,038 as program income under Federal Grant Agreement FB-1 for the enhancement and perpetual maintenance of 358.2 acres of land within cells 17 and 18, Broward County, which lands were already acquired with federal funds and for the acquisition of additional lands within the boundaries of the East Coast Buffer/Water Preserve Area Project. Motion approved.

d. Approve formation of the Alternative Water Supply Funding Selection Committee.

Mr. Dean Powell, Deputy Director, presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting. Mr. Powell said funding levels will be set during the budget discussion.

Motion by Mr. Gleason to approve formation of the Alternative Water Supply Funding Selection Committee and authorize ranking or proposals submitted for funding in fiscal year 2000-2001.

Mr. Douglas Andrews, City of Boca Raton Utility Department, said local utilities need help. He said utilities are attempting to find alternative water supplies for their customers, and urged the Board to support reinstatement of Alternative Water Supply Program funding.

Mr. Fred Rapach, Palm Beach County Water Utilities, urged the Board to consider reinstatement of the program.

Mr. Samy Faried, Lee County Regional Water Supply Authority, urged the Board to consider reinstatement of the program, which he said is an extremely effective and successful program.

Mr. Rob Teegarden, representing Orange County and Orlando Utilities Commission, urged reinstatement of the program.

Mr. J.W. French, Public Works Director, Lee County, presented letters in support of continued funding for the program.

Motion approved.

2 P.M. REGULATORY CONSENT AGENDA

Additions/Deletions/Substitutions

Ms. Terrie Bates, Director, Environmental Resource Regulation, noted the following changes handed out as additional backup to the Regulatory Consent Agenda (Item VIII-B-2 (backup #49)):

PERMIT APPLICATIONS

Water Use

LaBelle Farms (page 6, paragraph 1): Postponed to June 15 Board

Palmer Ranch and Cattle Company (page 7, paragraph 4):
Postponed to June 15 Board

ALICO 587 Land Trust (page 8, paragraph 1): Postponed to June
15 Board

Surface Water Management

ALICO System I (page 7, paragraph 1): Postponed to June 15 Board

Palmer Ranch and Cattle Company (page 7, paragraph 3):
Postponed to June 15 Board

Atlantic Civil/SDI (page 10, paragraph 2): Land use is agriculture

Environmental Resource

Goodlette Lakes (page 3, paragraph 2): Postponed to June 15 Board

Century Park at Flagler (page 10, paragraph 3): Postponed to June
15 Board

Homestead Lake and Fill/SW 344 St (page 11, paragraph 5): Permit
type is Environmental Resource (Construction/Operation
modification, includes conservation easement to the District)

Fish Slough Restoration/Wetland Enhancement (page 14, paragraph
2): 74.5 total acres wetlands; 74.5 total acres wetlands
preserved

Sims Creek Rehabilitation and Erosion Protection (page 17,
paragraph 2): Postponed to June 15 Board

Everglades Works of the District

Bolles Drainage District (page 7, paragraph 2): Postponed to June 15 Board

Wetland Resource

Atlantic Civil/SDI (page 10, paragraph 1): Project acreage is 12.3, land use is agriculture

Consent Agreements

Jenson Beach Land Company, Ltd and Renar/JBCC, Inc (page 20, paragraph 1): Postponed to June 15 Board

Orange County (page 20, paragraph 2): Postponed to June 15 Board

Items Pulled for Discussion

Chairman Collins pulled item 49, Hacienda Cove (page 2, paragraph 4).

Motion to approve the Regulatory Consent agenda. (A copy of the Regulatory Consent agenda is included in the official record of this meeting.)

Motion by Ms. Carter to approve the Regulatory Consent agenda, except for item B2 (#49), Hacienda Cove (page 2, paragraph 4). Motion approved.

Permits/Regulatory Matters

Water Resources Management

1a. Authorize initiation of rulemaking and publication of Draft Water Preserve Area Basin Rule.

Ms. Bates presented information on this item. a copy of the material used in her presentation is included in the official record of this meeting. Staff recommends approval.

Motion by Mr. Gleason to authorize initiation of rulemaking and publication of Draft Water Preserve Area Basin Rule.

Mr. Brian Blackwelder said he supports publication of the rule.

Ms. Rosa Durando, Audubon Society of the Everglades, requested information about the rule. She said she will discuss her questions about the rule with staff.

Motion approved.

Water Resources Operations

Right of Way

- 2a. Consider a request from the City of Riviera Beach for waiver of District criteria governing the placement of above-ground permanent and semi-permanent structures.**

Mr. Tom Fratz presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting.

Motion by Mr. Gleason to approve a request from the City of Riviera Beach for waiver of District criteria governing the placement of above-ground permanent and semi-permanent structures within District staging areas, and issuance of Right of Way Occupancy Permit Number 11294, Palm Beach County. Motion approved.

Procurement Contracts

Water Resources Management

- 1a. Authorize entering into a 5 year cooperative agreement with the U.S. Army Corps of Engineers as a special procurement for the USACE Manatee Protection Plan Part 1.**

Mr. Frank Lund presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting.

Motion by Mr. Gleason to authorize entering into a 5 year cooperative agreement with the U.S. Army Corps of Engineers as a special procurement for the USACE Manatee Protection Plan Part 1 in the amount of \$1,234,683 of which \$640,320 will be credit for previous District work and the remaining \$594,363 will be subject to Governing Board approval of the FY02, FY03, and FY04 budgets. Motion approved.

Mr. Minton commended the USACE for it's partnership effort and Harbor Branch for their work on this project.

Water Resources Operation

- 2a. Authorize amendment with the Florida Department of Environmental Protection for aquatic plant management to increase funding in the amount of \$1,621,000.**

Mr. Mike Bodle presented information on this item. a copy of the material used in his presentation is included in the official record of this meeting.

Motion by Mr. Gutierrez to authorize amendment with the Florida Department of Environmental Protection for aquatic plant management to increase funding in the amount of \$1,621,000 to be reimbursed to the District subject to future Governing board approval of a budget amendment and authorize a budget transfer in the amount of \$1,621,000 from Kissimmee Basin Managerial Reserves. Motion approved.

Everglades Construction Project

- 4a. Authorize an amendment with Burns & McDonnell Engineering Co. for design services for STA 3/4 in the amount of \$3,223,063.89.**

Mr. Randall Bushey, Project Manager, STA 3/4, ECP, presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting.

Motion by Ms. Carter to authorize an amendment with Burns & McDonnell Engineering Co. for design services for STA 3/4 in the amount of \$3,223,063.89 of which \$1,037,116 is budgeted in FY00 and the remainder is subject to Governing Board approval of future fiscal year budgets. Motion approved.

Regulatory Agenda

Items pulled for discussion

- B2. Environmental Resource Permit application for Hacienda Cove (item 49, page 2, paragraph 4)**

Mr. Robert Robbins, Environmental Resource Regulation, presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting.

Mr. George Counts, a Fort Lauderdale resident, expressed concern about the time allowed to respond. He said there is no requirement to replace exotics if removed.

Mr. Rick Thompson, representing Licia, expressed concern about the time allowed for response.

Mr. Robbins noted that the original mail out of this material was made over a month ago. He said staff's report went out last weekend.

Ms. Terrie Bates, Director, Environmental Resource Regulation, said action is required today. She said concerned parties can file an administrative challenge.

Mr. Mike Moser, representing the applicant, said his client has obligations that require work to proceed, but there is no problem waiving the work for 30 days.

Mr. Fernandez said if the applicant will agree to a 30 day waiver, the Board should do so.

Gutierrez to approve an Environmental Resource Permit application for Hacienda Cove (item 49, page 2, paragraph 4). Motion approved.

BOARD COMMENT

Mr. Minton expressed concern about re-considering the issue of permit fees. He said the Board should not go through this process again.

Ms. Carter questioned whether the Board objects to cover covering the costs of permit fees.

Mr. Thornton asked that Board Members defer discussion of this issue until the full Board is available.

Mr. Finch noted recent testimony by Governor Jeb Bush on Everglades funding before Congress. He said Mr. Bush's remarks will be provided to the Board and staff.

Vice-Chairman Minton noted additional comments received on the 8.5 Square Mile Area. He suggested carry over this over to the next meeting and entering comments into record. Board Members agreed.

Ms. Carter noted problems with the delivery of the Board back-up materials package.

Adjournment

There being no further business to come before the Board, the meeting was adjourned at 3:30 p.m.

MICHAEL COLLINS, CHAIRMAN

(Corporate Seal)

Attest:

FRANK FINCH, SECRETARY

/aab